



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 22 July 2013**

**8202/1/04  
REV 1**

**MAR 58  
ASIE 11  
CHINE 1**

**DECLASSIFICATION<sup>1</sup>**

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Subject:	Recommendation for a Council Decision authorising the Commission to open negotiations, on behalf of the Community and its Member States, with the People's Republic of China in order to adapt the Agreement on Maritime Transport between the European Community and its Member States, on the one part, and the Government of the People's Republic of China, on the other part, to the accession of ten new Member States to the European Union
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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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<sup>1</sup> Document declassified by the European Commission on 17/7/13.

# RESTREINT UE



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 5 April 2004**

**8202/04**

**RESTREINT UE**

**MAR 58  
ASIE 11  
CHINE 1**

## **COVER NOTE**

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from : the Secretary-General of the European Commission  
signed by Mrs Patricia BUGNOT, Director

date of receipt : 25 March 2004

to : Mr Javier SOLANA, Secretary-General/High Representative

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Subject : Recommendation for a Council Decision authorising the Commission to open negotiations, on behalf of the Community and its Member States, with the People's Republic of China in order to adapt the Agreement on Maritime Transport between the European Community and its Member States, on the one part, and the Government of the People's Republic of China, on the other part, to the accession of ten new Member States to the European Union

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Delegations will find attached Commission document SEC(2004)336 final.

Encl.: SEC(2004)336 final



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.03.2004  
SEC(2004)336 final

RESTREINT UE

Recommendation for a

**COUNCIL DECISION**

**authorising the Commission to open negotiations, on behalf of the Community and its Member States, with the People's Republic of China in order to adapt the Agreement on Maritime Transport between the European Community and its Member States, on the one part, and the Government of the People's Republic of China, on the other part, to the accession of ten new Member States to the European Union**

(presented by the Commission)

## **I. EXPLANATORY MEMORANDUM**

Ten new Member States will accede to the European Union on 1 May 2004. Under Article 6(2) of the Act concerning the Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustment of the Treaties on which the European Union is founded (hereinafter the 'Act of Accession'), the accession of the ten new Member States to the Agreement on maritime transport signed between the European Community and its Member States and the Government of the People's Republic of China signed in Brussels on 6 December 2002 shall be agreed by the conclusion of a protocol to this Agreement. Article 6(2) provides for a simplified procedure, as this protocol is to be concluded by the Council of the European Union, acting unanimously on behalf of the Member States, and the third country concerned. This procedure is without prejudice to the Community's own competences.

The Commission shall negotiate this protocol on behalf of the Member States on the basis of negotiating directives approved by the Council, acting by unanimity, and in consultation with a committee of the representatives of the Member States. It shall submit a draft of the protocol for conclusion to the Council.

Under Article 6(6) of the Act of Accession, as from the date of accession, and pending the conclusion of the necessary protocol, the ten new Member States shall apply the provisions of the maritime agreement with the Government of the People's Republic of China.

The protocol will include a technical adjustment brought about by the accession of the ten new Member States parties to this mixed agreement and an increase in the number of official languages.

As regards the timetable, these negotiations should be concluded rapidly in order to allow for the protocol adjusting the maritime agreement to enter into force at the same time as the agreement enters into force.

## **II. RECOMMENDATION**

The Commission therefore recommends that the Council:

- authorises the Commission, on behalf of the European Community and its Member States, to negotiate, with the People's Republic of China , a protocol adapting the Agreement on maritime transport between the European Community and its Member States and China to the upcoming enlargement;
- appoints a special committee to assist the Commission, which, by virtue of the Treaty establishing the European Community and the Act concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustment of the Treaties on which the European Union is founded, will conduct the negotiations on behalf of the European Community and the Member States; and
- adopts the annexed Negotiating Directives.

## **ANNEX**

### **Negotiating Directives for adaptation of the Maritime Agreement between the European Community and its Member States and China to the accession of the ten new EU Member States**

#### **1. GENERAL OBJECTIVE**

Adaptation of the Maritime Agreement with the People's Republic of China to allow for the accession of the ten new EU Member States to this Agreement.

#### **2. CONTENT OF THE PROTOCOL**

The incoming new Member States of the European Union will accede to the Maritime Agreement with the People's Republic of China. The protocol will provide for the necessary technical and linguistic adaptations of the Agreement that ensue from the accession of ten new contracting parties.

During the negotiations there should be regular consultation between the Commission and Member States in the special committee appointed to this effect.

#### **3. TIMETABLE**

Negotiations should be concluded rapidly in order to allow for the protocols adjusting the Maritime Agreement to enter into force at the same time as the Agreement enters into force.